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HUMAN RESOURCES MANAGEMENT

Letter dated 3 May 1997 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to General Assembly resolution 51/226 of 3 April 1997. The resolution deals in great detail with a broad range of human resources management issues considered by the Assembly at its fifty-first session. This degree of detail is, I understand, a reflection of the Assembly's determination to ensure compliance with its stated wishes in specific areas.

My intention is to assure you and, through your good offices, the Member States of my full commitment to implement this resolution, in accordance with the spirit and the intent of the General Assembly.

This applies, in particular, to the cessation of irregular, or so-called "back door", recruitment practices and assurance of broader and fairer competition for all United Nations employment opportunities. To respond to the Assembly's wish set out in section III.B, paragraph 26, I have instructed that immediate action be taken. Current appointments going beyond 31 July will be allowed to lapse, as indicated in the letter of appointment. In order to prevent disruption to programmes and undue hardship to the affected individuals, appointments expiring before 31 July 1997 will be extended only until that date.

However, it is my duty to bring to your attention that I have been advised that there are other considerations relative to the application of this provision to staff members holding appointments of less than one year against support account posts. This is because, prior to the adoption of resolution 50/221 B of 7 June 1996, it was not possible to hire staff against the support account for more than six months. Funding was approved only for that period, and normal recruitment processes leading to appointments of one year or more could not be used. Thus, at the time of their recruitment, support account staff outside the normal machinery were, in fact, employed under "regular" procedures pertaining to their conditions of service. Similar considerations apply to international tribunals, where staff have had to be recruited before

the mechanisms required to grant appointments for one year or longer had been established.

Measures are in train to apply established, competitive recruitment procedures for support account posts of one-year duration. The application of paragraph 26 to support account staff recruited before 3 April 1997 would thus treat these staff unfairly retroactively as though they had been improperly recruited. The same conditions apply to international tribunals, where staff had to be recruited before the mechanisms required to grant appointments for one year or longer had been established.

To achieve the understood objective of the General Assembly to close "back door" recruitment and avoid exposing the Organization to successful challenges in the Administrative Tribunal, it would therefore seem necessary to ensure that these provisions are not applied retroactively to "regularly" recruited staff currently holding short-term appointments. Under these circumstances and to prevent the resultant negative impact on support to crucial field missions, I consider it in the best interests of the Organization to apply the provisions of paragraph 26 to support account and international tribunal staff recruited after 3 April 1997, the date of adoption of resolution 51/226.

Constructive trust, dialogue and transparency are crucial elements in advancing reform and the management of change within the United Nations. In bringing these matters to your attention, my hope is to reassure the General Assembly of my unswerving commitment to encourage such an atmosphere between the Secretariat and the Member States.

In closing, may I again confirm that resolution 51/226 will be implemented and the concerns of Member States addressed. As I will be away from Headquarters at the time of the opening of the second part of the resumed session, I have taken the liberty of sharing my thoughts with you, in the hope that the contents of the present letter can be shared with Member States.

(Signed) Kofi A. ANNAN